

ENTERED

October 28, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

UNITED STATES OF AMERICA

§

VS.

§

CRIMINAL ACTION NO. 3:15-CR-23

ADAM VARGAS

§

O R D E R

Pending before the Court is the Defendant's Fifth Unopposed Motion for Continuance (Dkt. 26). In accordance with 18 U.S.C. § 3161, the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendant in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. § 3161, a failure to grant continuance in this case would deny counsel for the Defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendant.

The Defendant recites that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in 18 U.S.C. § 3161 as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

IT IS HEREBY ORDERED that the Defendant's motion for continuance is **GRANTED**. A period of excludable delay shall commence from today, **October 28, 2016** pursuant to 18 U.S.C. § 3161, and **January 9, 2017**.

It is further ORDERED that the scheduling order is amended as follows:

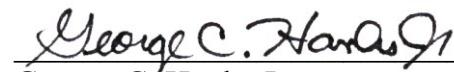
December 12, 2016 All MOTIONS will be filed no later than this date.

December 19, 2016 RESPONSES to motions will be filed no later than this date.

January 5, 2017 PRETRIAL CONFERENCE
11:00 a.m.

January 9, 2017 JURY TRIAL.
9:00

SIGNED at Galveston, Texas, this 28th day of October, 2016.



George C. Hanks Jr.
United States District Judge